

## **Exhibit A**

IN THE U.S. DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA

FRANKLIN WHITE,

\*

\*

\*

Plaintiff,

\* CIVIL ACTION FILE NO.

\*

V.

\* 1:13-cv-01163-TCB

\*

ALCON FILM FUND, LLC, ALCON\*

\*

ENTERTAINMENT, LLC, CUBE \*

\*

VISION, LLC, WARNER BROS. \*

\*

PICTURES, AND TIME \*

\*

WARNER, INC., \*

\*

Defendants \*

\*

\*

**AFFIDAVIT OF PLAINTIFF FRANKLIN WHITE**

PERSONALLY APPEARED before me the undersigned officer, duly authorized by law to administer oaths in the State of Georgia, Franklin White, who after being duly sworn, deposes and states as follows:

1. My name is Franklin White, and I am competent in all respects to testify regarding the matters set forth herein. I am over twenty-one (21) years of age. I have personal knowledge of the facts stated herein and know them to be true. I have personally prepared this Affidavit.
2. I am a nationally recognized professional author whose works are published, distributed and commercially sold through major distribution channels, as well as placed in library systems nationally and abroad.

3. During my career, I entered into a joint publishing agreement with Strebor/Simon & Shuster to publish works of acquired authors.
4. Over my seventeen (17) year career as an author, I have written twelve (12) novels that have appeared in 34 editions, including Hardcover, Paper Trade, Mass Paperback, Ebooks and Audiobooks.
5. My books are or have been sold in the United States by Wal-Mart, Barnes & Noble, Borders, Amazon, Books A-Million, Kroger, Walgreens, Sam's Club and Waterstones; I have been included in national bestseller lists and National Book Club Sales, including Black Expressions.
6. I have been featured in national newspapers and magazines, including but not limited to Upscale, Ebony, Rap Pages, Source, Sister to Sister, Black Woman Magazine, Essence Magazine and Publishers Weekly.
7. I was a Features Editor for the national publication Upscale Magazine, and a nationally syndicated magazine columnist for "Author2Author," the Upscale Magazine brand, which reached over 1 million readers.
8. My invited speaking engagements include Book America in Chicago and New York; BET Soundstage in Washington, DC; Cincinnati Book Festival; Wal-Mart; Barnes & Noble; Walden Books; Essence Festival; the Words Escape Me Conference in Birmingham, Alabama, Birmingham Public Schools; St. Louis, Missouri; Wilmington, Delaware; Atlanta Arts Festival; and the DeKalb County, Georgia Library Festival.
9. I have had national newspaper reviews and articles concerning my works, including in Dallas, Atlanta, Essence Magazine, Rap Pages, Amazon.com, Black Board and Essence Magazine.
10. I was an Inductee for the Archie Givens Collection at the University of Minnesota.
11. As an author, I have been on National Radio Book Tours, pursuant to which I was interviewed by major market radio stations, including in Washington, DC, St. Louis, Missouri, Columbus, Ohio and Atlanta, Georgia.
12. I have been featured on Internet Chats, including on AOL, Black Planet and Ask the Author (on AOL).

13. I am the author of First Round Lottery Pick (the "Book"), first published in hardback on November 11, 2005 by Blue/Black Press.
14. The Book was nationally distributed to bookstores (including Barnes & Noble, Borders and Wal-Mart) as well as libraries throughout the United States, and was available for purchase online at Borders.com, Amazon.com, Barnes&Noble.com, Booksamillion.com, Waldenbooks.com and many independent online booksellers; it was available in bookstores in California.
15. Although I responded in the negative to the question by Defendants' attorney that my "issue in this lawsuit has nothing to do with the hardback story," the "stories" of the books are identical. In answering this question, I was referring to the fact that the softcover book has a registered copyright.

Frank White  
Franklin White

Sworn to and subscribed  
Before me this 15<sup>th</sup> day  
of April, 2014.

Willette S. Davis

Notary Public

My Commission Expires:

3-28-16

